Docket No.: TU98-05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

the specification of which (check one)

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

"TARGET ANALTYE SENSORS UTILIZING MICROSPHERES"

[] is attached hereto.				
[x] was filed on <u>September 11, 1998</u> No. <u>09/151,877</u> and was amended				
I hereby state that I have reviewed and understand specification, including the claims, as amended by				
I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56(a).				
POWER OF ATTORNEY				
As a named inventor, I hereby appoint the following attorney or agent to prosecute this application and transact all business in the Patent and Trademark Office connected therewith; and, in addition, to file and prosecute an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states:				
R. Dennis Creehan Reg. No. 39,950				
SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO:			
R. Dennis Creehan P.O. Box 750070 Arlington Heights, MA 02475-0070	R. Dennis Creehan (617) 797-2627			

I hereby declare that all statements made herein of my own knowledge are true and that

these statements were so made are punishable of the United States C	in information and belief are believed made with the knowledge that willfule by fine or imprisonment, or both, utode and that such willful false statemation or any patent issued thereon.	al false statements and the like ander Section 1001 of Title 18 ments may jeopardize the
	irst inventor: David R. Walt	,
Inventor's signature: _	As scholar	Date: _ <u>10/20/98</u>
Residence:	Lexington, Massachusetts	Citizenship: U.S.A.
Post Office Address:	4 Candlewick Close Lexington, MA 02178	
Full name of second i		
Inventor's signature: _	Kani Michael	Date: 10/20/98
Residence:	Somerville, MA 02145	Citizenship: U.S.A.
Post Office Address:	77 Partridge Ave. Somerville, MA 02145	·

<u>Joint</u>

ASSIGNMENT

WHEREAS, we, David R. Walt and Karri Lynn Michael have invented a certain improvement in FIBER OPTIC SENSOR WITH ENCODED MICROSPHERES described in an application for Letters Patent of the United States, Serial No. 08/818,199, filed March 14, 1997.

WHEREAS, Trustees of Tufts College (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the Commonwealth of Massachusetts, and having a usual place of business at Medford, Massachusetts 02155 desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution

of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives;

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor: David R. Walt

State/Commonwealth		
OF MASSACYUSETTS		
County of MIDDLESEX		

Then personally appeared before me the above-named David R. Walt and acknowledged that he executed the foregoing instrument as his free act and deed this $\frac{1}{2}\omega cl\sqrt{L}$ day of $\frac{1}{2}$ $\frac{1}{$

(SEAL)

Aghes R. Mac Donald (print name)

My Commission expires 12/25/2003

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Inventor: Man L. M. charl	
Karri Lynn Michael	_

State/Commonwealth

of Massachusettes

County of Middle sex

Then personally appeared before me the above-named Karri Lynn Michael and acknowledged that he executed the foregoing instrument as his free act and deed this twelveth day of MAY, 1997.

(SEAL)

My Commission expires 12/25/2003

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